

19

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case:2:08-cr-20443

Judge: Steeh, George Caram

MJ: Majzoub, Mona K

Filed: 08-20-2008 At 10:29 AM

INDI USA V. NAGI ET AL (DA)

D-1 HASSAN NAGI,

VIOLATIONS:

18 U.S.C. § 2

D-2 ALI HAIDOUS,

18 U.S.C. § 1341

D-3 SAFI BZEIH,

18 U.S.C. § 1344

D-4 HUSSEIN AOUN

18 U.S.C. § 1349

a/k/a Somail Aoun

Defendants.

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(18 U.S.C. § 1349– *Conspiracy to Commit Bank Fraud*)

D-1 HASSAN NAGI

D-2 ALI HAIDOUS

D-3 SAFI BZEIH

D-4 HUSSEIN AOUN

THE CONSPIRACY AND ITS OBJECTS

(1) From on or about April 11, 2005 and continuing thereafter until on or about April 1, 2008, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, ALI HAIDOUS, SAFI BZEIH, and HUSSEIN AOUN knowingly and willfully conspired and agreed together with one another, and with other individuals, both known and unknown to the grand jury, to commit an offense against the United States, to wit: Bank Fraud, in violation of 18 U.S.C. § 1344.

MANNER AND MEANS OF THE CONSPIRACY

(2) Collectively, defendants secured mortgage loans totaling approximately \$1.9 million on sixteen properties in Detroit, Dearborn, and Dearborn Heights, Michigan using false and fraudulent applications and fraudulently inflated appraisals. Defendant HASSAN NAGI was a mortgage broker who obtained the mortgage loans from various national financial institutions, including Countrywide Bank, Washington Mutual, Fifth Third Bank, and others. Defendant ALI HAIDOUS was a real estate appraiser who provided fraudulent appraisals for the properties. Defendants SAFI BZEIH and HUSSEIN AOUN recruited sellers and “straw buyers” for the properties.

(3) After the conspirators identified a willing seller of a property, NAGI would obtain a mortgage loan from a national lending institution for a “straw buyer.” False income and employment information was provided to the lender for the “straw buyer” using fraudulent W-2 forms. In support of each mortgage loan, NAGI submitted an inflated appraisal, created by HAIDOUS. After the inflated mortgage loan was funded at closing, the seller received sufficient funds to pay off any existing mortgage as well as a “bonus” for participating in the mortgage fraud scheme. The remainder of the proceeds from the inflated mortgage were shared between defendants NAGI, HAIDOUS, BZEI; and AOUN, as well as the straw buyer.

(4) In execution of the conspiracy and to effect its objects, the members of the conspiracy committed the acts described in Counts Two through Seventeen of this Indictment, which are hereby incorporated by reference in this Count.

All in violation of Title 18, United States Code, Sections 1344 and 1349.

COUNT TWO

(18 U.S.C. §§ 1344 and 2 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-4 HUSSEIN AOUN

On or about April 11, 2005, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Countrywide Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$170,000 on property located at 6417 Kendal, Dearborn, Michigan;

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT THREE

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-4 HUSSEIN AOUN

On or about June 28, 2005, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Countrywide Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$160,000 on property located at 1920 Atkinson, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT FOUR

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-4 HUSSEIN AOUN

On or about August 5, 2005, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Countrywide Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$ 128,000 on property located at 7836 Smart, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT FIVE

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-4 HUSSEIN AOUN

On or about August 25, 2005, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Countrywide Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$105,000 on property located at 6318 Minock, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT SIX

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-3 SAFI BZEIH
D-4 HUSSEIN AOUN

On or about December 23, 2005, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, SAFI BZEIH, and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Countrywide Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$99,000 on property located at 7032 Sarena, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT SEVEN

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS
D-3 SAFI BZEIH
D-4 HUSSEIN AOUN

On or about December 30, 2005, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, ALI HAIDOUS, SAFI BZEIH, and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Net Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$130,000 on property located at 5434 Central, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT EIGHT

(18 U.S.C. § 1341 – *Mail Fraud*)

D-3 SAFI BZEIH

On or about January 26, 2006, in the Eastern District of Michigan, Southern Division, defendant SAFI BZEIH, having devised a scheme and artifice to defraud and obtain money by means of false and fraudulent pretenses by overvaluing the property at 7526 Ternes, Dearborn, Michigan, for the purpose of influencing Ark-La-Tex Financial to provide a mortgage loan of approximately \$161,500, and for the purpose of executing such scheme did use the United States Postal Service;

All in violation of Title 18, United States Code, Section 1341.

COUNT NINE

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS
D-4 HUSSEIN AOUN

On or about March 3, 2006, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, ALI HAIDOUS, and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of IndyMac Federal Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing mortgage loans of approximately \$180,000 and \$45,000 on property located at 5633 Appoline, Dearborn, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT TEN

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-4 HUSSEIN AOUN

On or about January 11, 2007, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Countrywide Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$388,000 on property located at 4239 Lawndale, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT ELEVEN

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS
D-4 HUSSEIN AOUN

On or about January 12, 2007, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, ALI HAIDOUS, and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Countrywide Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$83,200 on property located at 8556 Vanderbilt, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT TWELVE

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS
D-3 SAFI BZEIH
D-4 HUSSEIN AOUN

On or about December 7, 2007, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, ALI HAIDOUS, SAFI BZEIH, and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Washington Mutual, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$110,200 on property located at 7164 St. John, Detroit Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT THIRTEEN

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS
D-4 HUSSEIN AOUN

On or about December 10, 2007, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, ALI HAIDOUS, and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Washington Mutual, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$99,750 on property located at 6850 Longacre, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT FOURTEEN

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS
D-3 SAFI BZEIH
D-4 HUSSEIN AOUN

On or about December 14, 2007, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, ALI HAIDOUS, SAFI BZEIH, and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Washington Mutual, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$99,000 on property located at 5017 Pacific, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT FIFTEEN

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS
D-3 SAFI BZEIH
D-4 HUSSEIN AOUN

On or about February 4, 2008, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI, ALI HAIDOUS, SAFI BZEIH, and HUSSEIN AOUN, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Washington Mutual, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$95,000 on property located at 4350 Freer, Detroit, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT SIXTEEN

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS

On or about March 21, 2008, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI and ALI HAIDOUS, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Fifth Third Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$72,000 on property located at 6123 Kimmore, Dearborn Heights, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

COUNT SEVENTEEN

(18 U.S.C. §§ 2 and 1344 – *Bank Fraud; Aiding and Abetting*)

D-1 HASSAN NAGI
D-2 ALI HAIDOUS

On or about April 1, 2008, in the Eastern District of Michigan, Southern Division, defendants HASSAN NAGI and ALI HAIDOUS, aided and abetted by one another, did knowingly execute a scheme to defraud, and to obtain moneys and funds owned by and in the care, custody, and control of Sun Trust Bank, the deposits of which were insured by the Federal Deposit Insurance Corporation, by materially false and fraudulent pretenses. That is, the defendants made and caused to be made false representations, including a false appraisal and false income and employment statements, for the purpose of securing a mortgage loan of approximately \$75,000 on property located at 24975 Ann Arbor Trail, Dearborn Heights, Michigan;

All in violation of Title 18, United States Code, Sections 2 and 1344.

THIS IS A TRUE BILL

/s/ _____ Grand Jury Foreperson
GRAND JURY FOREPERSON

TERRENCE BERG
Acting United States Attorney

/s/ Jennifer M. Gorland
JENNIFER M. GORLAND
Assistant United States Attorney
Chief, General Crimes Unit

/s/ Leonid Feller
LEONID FELLER
Assistant United States Attorney

Date: August 20, 2008

United States District Court
Eastern District of Michigan

Criminal Case Cov

Case:2:08-cr-20443
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to com

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: LF

D-1 HASSAN NAGI; D-2 ALI HAIDOUS; D-3 SAFI BZEIH;
Case Title: D-4 HUSSEIN AOUN, a/k/a Somail Aoun

County where offense occurred : WAYNE

Check One: **Felony** **Misdemeanor** **Petty**

Indictment/ Information --- **no prior complaint.**
 Indictment/ Information --- based upon prior complaint [Case number: _____]
 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information:

Superseding to Case No: _____ **Judge:** _____


- Original case was terminated; no additional charges or defendants.
- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

Charges

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

August 20, 2008
Date


LEONID FELLER
Assistant United States Attorney
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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.